

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACY DAVIS,

Case No.23-10621

Plaintiff,
v.

F. Kay Behm
United States District Judge

ROBERT WILLIS, *et al.*,
Defendants.

Anthony P. Patti
United States Magistrate Judge

/

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S JANUARY 10, 2024,
REPORT AND RECOMMENDATION (ECF No. 56)**

Currently before the court is Magistrate Judge Anthony P. Patti's January 10, 2024 Report and Recommendation. (ECF No. 56). Magistrate Judge Patti recommends dismissal of Plaintiff's complaint pursuant to Federal Rule of Civil Procedure 41(b) and the denial of Defendants' motions to dismiss or for summary judgment as moot (ECF Nos. 51, 53). *Id.* The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. “[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's

recommended disposition. Therefore, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 56), **DISMISSES** the complaint with prejudice, and **DENIES** the pending motions as moot (ECF Nos. 51, 53).

SO ORDERED.

Date: January 30, 2024

s/F. Kay Behm

F. Kay Behm

United States District Judge